

Application Serial No. 10/540,892  
Reply to office action of November 26, 2008

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Amendments To The Claims

The listing of claims presented below will replace all prior versions, and listings, of claims in the application.

Listing of claims:

1. (currently amended) An apparatus for transmitting data in a digital broadcasting system, comprising:

a source encoding means unit for encoding data to be transmitted and generating source-coded data;

a capacity managing means unit for dividing the source-coded data into divided data for a plurality of channels ~~in case that an available data capacity for transmitting the source-coded data does not exist in one channel but sum of available data capacities of several channels can accommodate the source-coded data, and adding generating~~ header information corresponding to the divided data;

a channel encoding means unit for encoding the divided data according to channel environment and generating channel-coded data; and

a transmitting means unit for multiplexing, modulating and transmitting the channel-coded data through multiple frequency bands and multiple broadcasting sites.

2. (currently amended) The apparatus as recited in claim 1, wherein the capacity managing means unit stores information of available capacity and unavailable capacity for each frequency band, divides the source-coded data in case that an available data capacity for transmitting the source-coded data does not exist in one channel but sum of

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the available data capacities of multiple channels can accommodate the source-coded data, and adds the header information ~~to the divided data~~ in a data packet so as to reconstruct the data in the receiving apparatus.

3-4. (Withdrawn)

5. (currently amended) A method for transmitting data in a digital broadcasting system, comprising ~~the steps of~~:

(a) encoding image data and audio data to be transmitted and generating source-coded data;

(b) ~~at a capacity managing means~~, dividing the source-coded data into divided data for a plurality of channels ~~in case that an available data capacity for transmitting the source coded data does not exist in one channel but sum of available data capacities of multiple channels can accommodate the source-coded data, and adding generating~~ header information corresponding to the divided data;

(c) channel encoding the divided data according to channel environment and generating channel-coded data; and

(d) multiplexing, modulating and transmitting the channel-coded data through multiple frequency bands and multiple broadcasting sites.

6. (currently amended) The method as recited in claim 5, wherein the ~~capacity managing means stores dividing the source-coded data includes storing~~

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information of available capacity and unavailable capacity for each frequency bands,  
**divides and dividing** the source-coded data in case that an available data capacity for  
transmitting the source-coded data does not exist in one channel but sum of available  
data capacities of the multiple channels can accommodate the source-coded data, **and**  
**adds wherein** the header information **is used in a data packet so as** to reconstruct  
the data in the receiving apparatus.

7-8. (Withdrawn)